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UNCLAS SECTION 01 OF 02 VIENTIANE 000787

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TAGS: [PREF](#) [PREL](#) [KJUS](#) [CVIS](#) [PHUM](#) [LA](#) [TH](#)
SUBJECT: DEMARCHE: HMONG "MATERIAL SUPPORT" EXEMPTION

REF: A. STATE 146812
[1](#)B. VIENTIANE 780

[1](#)1. (U) This cable contains an action request. See paragraph 10.

[1](#)2. (SBU) Summary: The Ambassador met with Assistant Foreign Minister Alounkeo regarding the Hmong material support exemption (Ref A) on October 22. Despite the Ambassador's reassurances that the waiver does not represent a departure from U.S. policy opposing violent action against the Lao government, Mr. Alounkeo expressed serious concern about the implications and potential effects of a waiver. He said that this action by the USG represents a departure from its strong anti-terrorist stance. He expressed concern that the waiver would result in renewed migration to Thailand by Lao Hmong hoping to go on to the U.S, dismissing the notion that the 2004 cutoff date or public clarifications would deter new migration. End summary.

[1](#)3. (U) The Ambassador, accompanied by the DCM, called on Assistant Foreign Minister Alounkeo Kittikhoun on October 22 to discuss the expected signature by the Secretary of an exemption determining that the material support inadmissibility provisions of the Immigration and Nationality Act do not apply to individuals who provided material support to Hmong groups before December 31, 2004. (Note: In fact, the Secretary had signed the waiver on October 20, but the Embassy did not receive word of this until October 23. End note.)

[1](#)4. (SBU) After the Ambassador made the points provided in Ref A, Mr. Alounkeo said that the issuance of a waiver appeared to contradict the USG's stated opposition to any kind of terrorist activity. "You are going against your own policy," he said. The Ambassador responded that persons who had committed acts aimed at destabilizing the Lao government would continue to be barred from becoming citizens. He said that the U.S. does not condone acts of violence against the Lao government.

[1](#)5. (SBU) Mr. Alounkeo asked how many people the waiver would apply to. The Ambassador said that the number was uncertain. The primary goal, he said, was to deal with those among the 15,000 persons resettled from Wat Tham Krabok in Thailand in 2004 who would not qualify for citizenship because of the material support provision. Mr. Alounkeo expressed concern that the waiver would encourage other Lao Hmong to go to Thailand in the hope of being resettled in the U.S. The Ambassador replied that that the USG would make it clear to the public that there will not be another resettlement program. That, plus the December 31, 2004 cutoff date, which would disqualify people who continue to provide material support, should limit the "pull factor."

[1](#)6. (SBU) Mr. Alounkeo expressed skepticism that this would discourage Lao Hmong from going to Thailand, asking, "How can you control them?" He added that, because transfer of funds

was one of the categories of material support cited in the legislation, the waiver could be interpreted by resettled Hmong in the U.S. as an implicit endorsement of funding to anti-government Hmong groups after resettlement in the United States. Mr. Alounkeo reiterated that the background information provided by the Ambassador "does not allay our fear" that anti-government Hmong elements in Laos will think that the U.S. is condoning their terrorist activities.

17. (SBU) Mr. Alounkeo asked whether the waiver would bring legislative initiatives on this issue to an end. The Ambassador replied that individual members of Congress may continue to pursue legislation, but others may feel that it is not needed with the waiver in place.

18. (SBU) Mr. Alounkeo said that his comments represented a preliminary GOL response pending discussions with Foreign Minister Thongloun Sisoulith, but appeared confident that the final GOL response would be similar to his own expressed views.

19. (SBU) Comment: Mr. Alounkeo's strong negative reaction to the waiver is not surprising and is consistent with comments made to the Ambassador by other senior MFA officials and the Prime Minister in prior discussion of the issue (Ref B). Since the idea of a waiver first surfaced in the press several months ago, the GOL has made it clear that it views this issue as a litmus test of the sincerity of the USG's stated opposition to efforts to destabilize the Lao government. Embassy anticipates that the Lao government will soon deliver a formal protest. Whether the Lao will respond by curtailing our emerging areas of cooperation and dialogue is less certain. What is certain is that the waiver will strengthen the voices of those who remain suspicious of U.S.

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intentions and opposed to improved cooperation with the U.S.
End comment.

110. (SBU) ACTION REQUEST: One step we could and should take to send a clear signal of our intention, and bolster reformers in the government, would be to lift the current restrictions on Exim Bank programs for Laos (Ref B).
HUSO